

REMARKS

I. STATUS OF THE CLAIMS

Claims 1, 3-6, 11-14, 19, 20, 22 and 26 are amended herein. Claims 29-38 are withdrawn and new claims 39 and 40 are added herein. Thus, claims 1-28, 39 and 40 are currently pending.

II. REJECTIONS UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

In item 4, on page 2 of the Office Action, claims 9 and 17 were rejected as failing to comply with the written description requirement with regard to a "correction information unit". However, support for this limitation is found in the specification, for example, at page 39, line 23 to page 40, line 19, and FIG. 11 which describes real time clock 57 as providing "correction information 61" (e.g., page 40, line 8). Therefore, it is respectfully submitted that the specification sufficiently describes the operation of a "correction information unit" in such a way as to reasonably convey to one skilled in the relevant art that the inventors had possession of the claimed invention at the time the application was filed.

In view of the above, it is respectfully requested that the rejection be withdrawn.

III. REJECTIONS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

In item 7 on page 2 of the Office Action, it was asserted that there is insufficient antecedent basis for "the specified date-and-time manager" in claim 1. Claim 1 has been amended in response.

In item 8 on page 3 of the Office Action, it was asserted that the limitation "device for a manager on the date-and-time manager side" in claims 3 and 11 was unclear. Although the language used is identical to that in the sentence spanning pages 9 and 10 of the application, claims 3 and 11 have been amended to remove references to the "manager side".

In item 9 on page 3 of the Office Action, it was asserted that the limitation "copy request for a date-and-time" in claims 3-7, 11-15, 19 and 20 was unclear because "'date-and-time' is used in the claims as an independent modifier, rather than the nouns 'date and time'" (Office Action, page 3, lines 4-5). However, the hyphenated compound word "date-and-time" is used in the specification and claims as both an adjective and a noun. See, for example, page 1, last 2 lines where it is used as both an adjective and noun.

In item 10, on page 3 of the Office Action, it was asserted that claims 3 and 11 recite "'a date-and-time management device for a manager on the date-and-time manager side' but the claims are directed to an apparatus capable of inputting a request from a plurality of managers." Claims 3 and 11 have been amended to refer to "each manager".

In item 11 on page 3 of the Office Action, it was asserted that there is insufficient antecedent basis for "the information about the managed date-and-time" in claim 5. Claim 5 has been amended in response.

With respect to item 12 on page 3 of the Office Action concerning claims 4-6 and 12-14, the term "nonreproductive" has been changed to "non-reproducible" which is consistent with the description of the invention, for example, at page 10, lines 15-23 and page 33, lines 3-17. Corresponding changes have been made to the specification. It is submitted that one of ordinary skill in the art would have understood that "nonreproductive" meant "non-reproducible" and therefore, no "new matter" has been added by this change.

Items 13 and 15 on page 3 of the Office Action noted a lack of clarity in claims 4 and 12 regarding the source of the information received by the date-and-time copy data generation unit. Therefore, claims 4 and 12 have been amended to more clearly recite the invention.

In response to items 14 and 16 on page 3 of the Office Action concerning the phrase "generating data for copy", claims 4 and 12 have been amended.

In item 17 on page 4 of the Office Action, it was asserted that claims 7 and 15 appear to be directed to method claims. Claims 7 and 15 have been amended in response to more clearly define the invention. Support for the amendments can be found in the specification, for example, at page 31, line 18 to page 32, line 2.

With respect to item 18 on page 4 of the Office Action concerning claims 9 and 17, it is respectfully submitted that the Examiner may have misunderstood the term "nonvolatile" with respect to volatility. However, support and for the limitation "nonvolatile storage unit" can be found in the specification, for example, at page 39, lines 23 through page 40, line 13.

In item 19 on page 3 of the Office Action, it was asserted that there is insufficient antecedent basis for "the specified date-and-time manager" in claim 19. Claim 19 has been amended in response.

In item 20 on page 3 of the Office Action, it was asserted that claims 22 and 26 are omnibus type claims. Additional comments were made in item 21 also concerning claims 22 and 26. These claims have been amended to clearly define the invention.

In view of the above, it is respectfully requested that the rejections under the second paragraph of 35 U.S.C. 112 be withdrawn. If there are any remaining issues regarding the clarity of the claims, the Examiner is respectfully requested to contact the undersigned by telephone prior to issuing another Office Action for the purpose of arranging an Examiner Interview to expedite the process of finding acceptable claim language.

III. REJECTIONS UNDER 35 U.S.C. § 102

In item 23 on page 5 of the Office Action, claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent 5,444,780 to Hartman, Jr. It was asserted that "requests are accepted from applications requiring secure TOD and non-secure TOD because the authenticated time is TRUE" (Office Action page 5, lines 8-10). However, column 6, line 35 to column 7, line 12 of Hartman, Jr. discloses how a FALSE or TRUE state of the authenticated time indicator 218 determines which process is to be taken. If it is in a FALSE state, the execution is refused (see, column 6, lines 59-60 of Hartman, Jr. Furthermore, any value can be set to TOD clock 108 by a user but the authenticated time indicator 218 may not be set except by CPU 104 (see, Hartman at column 6, lines 45-49).

By contrast, the present invention distinguishes over Hartman, Jr. in that claim 1, for example, recites "a date-and-time management apparatus capable of inputting a date-and-time setting request from each of a **plurality of date-and-time managers**" (claim 1, lines 1-2) and "accepting a date-and-time setting request from **any** date-and-time manager" (claim 1, lines 3-4, emphasis added). Nothing was cited or has been found in Hartman, Jr. suggesting receipt of requests from multiple devices capable of setting the date and time and accepting such requests from any of them. Since the limitations quoted above also appear in claim 2, it is submitted that claims 1 and 2 patentably distinguish over Hartman, Jr.

In item 24 on page 5 of the Office Action, claims 1-3 and 11 were rejected under 35 U.S.C. § 102(a) as anticipated by a printed publication entitled "System Time Management" (hereinafter "Cisco"). Cisco discloses a system that only permits revisions that are associated with reliable server organizations when the associated Trusted checkbox is selected. In Cisco, the Trusted checkbox is selected if a user wants the authentication key to be trusted. Also, Cisco discusses a configuration NTP authentication scheme that uses public-key cryptography with the Message Digest (MD5) algorithm. With this scheme, every message must be individually signed using an authentication key. The key consists of two parts: a public key number (a 32-bit integer) and a secret key value (an arbitrary string of up to 32 characters). See, page 3 at "Configuring NTP authentication" of Cisco.

Although Cisco discusses how the client must obtain the key pair from the server administrator and configure it to the client, Cisco fails to disclose "accepting a date-and-time setting request from any date-and-time manager before accepting a date-and-time setting request from a predetermined date-and-time manager" (claim 1, lines 3-5). Also, Cisco fails to disclose how the concept of "accepting a date-and-time setting request **only** from a date-and-time manager at a higher hierarchical level than the date-and-time manager whose request has been accepted before" (claim 2, lines 5-7, emphasis added). Although, Cisco discusses how the client must obtain the key pair from the server administrator and configure it to the client, Cisco is silent as to the "hierarchical level" of users of the authentication scheme. Since claims 3 and 11 depend from claims 1 and 2, respectively, it is submitted that claims 1-3 and 11 patentably distinguish over Cisco for the reasons discussed above.

In item 25 on page 6 of the Office Action, claims 1 and 2 were rejected as anticipated by U.S. Patent 6,009,518 to Shiakallis. Shiakallis relates to time setting of a clock which may "only be set by a system administrator" (column 4, lines 13-14). This is in stark contrast to the present invention as recited in claims 1 and 2 both of which recite "a clock unit functioning in response to the accepted date-and-time setting request" (last line of each claim). Therefore, it is submitted that claims 1 and 2 patentably distinguish over Shiakallis.

IV. REJECTIONS UNDER 35 U.S.C. § 103(a)

In items 27-32 on pages 7-11 of the Office Action, claims 4-8, 10, 12-16 and 18-28 were rejected as unpatentable over various combinations of Cisco as a primary reference with a printed publication entitled "Handbook of Applied Cryptography" (hereinafter "Menezes"); U.S. Patent 6,157,957 to Berthaud; Hartman, Jr.; and U.S. Patent 6,199,169 to Voth. Nothing was cited or has been found in any of these secondary and tertiary references suggesting modification of Cisco to overcome the deficiencies discussed above. Since claims 4-8, 10, 12-16 and 18 depend from claims 1 and 2, it is submitted that claims 4-8, 10, 12-16 and 18 patentably distinguish over Cisco for the reasons discussed above with respect to claims 1 and 2.

Claims 19 and 20 recite "accepting a date-and-time setting request from any date-and-time manager before accepting a date-and-time setting request from a predetermined date-and-time manager" (e.g., claim 19, lines 4-6), as recited in claim 1. Therefore, it is submitted that claims 19 and 20 patentably distinguish over Cisco for the reasons discussed above with respect to claim 1.

V. NEW CLAIMS

Claims 39-42 have been added to recite operations performed according to the invention in method claims and claims 43 and 44 have been added to recite a system according to the invention. Support for the new claims are found, for example, in the specification at page 8, line 15 through page 9, line 7, and page 11, line 3 through page 12, line 14.

Claim 39 recites the operation of "accepting at least one request from any of a plurality of managers to set date and time, with at least one of the managers having higher priority for acceptance of requests than other managers" (claim 39, lines 2-4). For reasons similar to those discussed above with respect to claims 1 and 2, it is submitted that claims 39 and claims 40-42 which depend therefrom patentably distinguish over the applied art for reasons similar to those discussed above with respect to claims 1 and 2

Claim 43 recites

accepting an initial setting request from any management device
before accepting a prioritized setting request from a specified
management device, and accepting subsequent setting requests
only from the specified management device after accepting the
prioritized setting request from the specified management device

(claim 42, lines 5-8) which is similar to what is recited in claim 1. Therefore, it is submitted that claim 42 and claim 43 which depends therefrom patentably distinguish over the applied art for reasons similar to those discussed above with respect to claim 1.

VI. CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Serial No. 09/805,156

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 8/22/05

By: Richard A. Gollhofer
Richard A. Gollhofer
Registration No. 31,106

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501